

Yeas—Senators Allison, Ball, Camp, Davenport, Dillard, Dwyer, Ellis, Flanagan, Friend, Morris, Moore, Parker, Russell, Stirman, Trolinger and Westfall—16.

Nays—Senators Baker, Bradshaw, Erath, Randle, Swift, and Wood—6.

Senator Parker moved to amend by striking out sections eleven and twelve. Lost, by the following vote:

Yeas—Senators Allison, Bradshaw, Dillard, Morris, Moore, Parker and Trolinger—7.

Nays—Senators Ball, Baker, Camp, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Randle, Russell, Stirman, Swift, Westfall and Wood—16.

Absent, not voting—Senators Bradley, Culberson, Ireland and Ledbetter.

The bill, as thus amended, was ordered engrossed.

(Mr. President in the chair.)

By leave, Senator Dillard introduced a bill, entitled "An act to redistrict the State of Texas into Congressional districts." Read first time, one hundred copies ordered printed, and made special order for Wednesday next at 11 o'clock A. M.

Senator Dwyer, by leave, introduced a bill entitled "An act to amend section ten of 'An act to provide for registration of voters,' and to repeal 'An act to provide for a special registration of voters under the provisions of an act to authorize counties, cities and towns to aid in the construction of railroads, etc.,' approved May 31, 1871." Read first time and referred to Committee on Internal Improvements.

Senate bill No. 27, "An act to amend 'An act to incorporate the Orange, Jasper and Shelby Railroad Company, and aid in constructing same,'" being the next bill under the special order, it was taken up and considered.

Senator Friend offered a substitute for said bill.

On motion of Senator Swift the substitute was adopted.

Substitute read third time, and, on motion of Senator Swift, passed by the following vote:

Yeas—Senators Allison, Ball, Baker, Camp, Davenport, Dillard, Dwyer, Ellis, Flanagan, Friend, Morris, Moore, Parker, Randle, Russell, Stirman, Swift, Westfall and Wood—19.

Nays—Senators Bradshaw, Erath, Hobby and Trolinger—4.

Senator Hobby, chairman of the Committee on Enrolled Bills submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Enrolled Bills ask leave to report that they have carefully examined Senate joint resolution No. 42, returning thanks to the President for upholding the right of local self government in

Texas, and find the same correctly enrolled, and have this day, at 10:15 A. M., presented the same to the Governor.

Hobby, Chairman.

Senate joint resolution No 151, "setting apart certain rooms in the capitol building for the use of the Senate and House of Representatives," was, on motion of Senator Swift, taken up, under a suspension of the rules, and the House amendments there-to concurred in.

Senator Baker moved a suspension of the rules, to take up out of its order Senate joint resolution No. 133, "to require the State Treasurer to pay certain warrants." Rules suspended, resolution taken up and read second time.

Senator Flanagan offered the following amendment: Amend line seventeen, after the word "and," by adding, "when so registered." Adopted.

Senator Flanagan also offered the following amendment: Strike out "deposited," wherever it occurs, and insert "register." Adopted.

Senator Wood offered the following amendment: Amend by striking out, in twenty-first line, after the word "same," the words "and give receipts to all persons making said deposits." Adopted.

Senator Friend offered the following amendment: In ninetenth line after word "of" insert "registration." Adopted.

The bill as amended, was then ordered engrossed.

On motion of Senator Erath, the rules were suspended, bill read third time and passed.

On motion of Senator Wood, the Senate adjourned to 10 o'clock A. M. next Monday.

TWENTY-EIGHTH DAY.

SENATE CHAMBER, {

AUSTIN, February 16, 1874. }

Senate met pursuant to adjournment.

Roll called; quorum present.

Prayer by the chaplain.

Journal of Saturday read and adopted.

A message from the House was received announcing the passage of House bill No. 168, "An act to authorize incorporated cities to establish and manage free libraries."

Senator Westfall presented a petition from sundry citizens of Williamson county, asking for the speedy apportionment and disbursement of the school fund. Read and referred to the Committee on Education.

Senator Westfall presented a petition from citizens of Burnet county, in regard to the boundaries of their county. Read and referred to the Committee on Counties and County Boundaries.

Senator Swift presented a petition from

S. W. Blount *et al.*, of San Augustine county, asking for relief. Read and referred to the Committee on Private Land Claims.

Senator Swift presented a petition from citizens of Nacogdoches county, asking that no spirituous liquors be allowed to be sold or given away within two miles of the town of Douglass, in said county. Read and referred to the Judiciary Committee.

Senator Moore, for Committee on Public Buildings, submitted the following report: *Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Public Buildings, to whom was referred Senate bill No. 146, "An act to amend section four of 'An act to provide for the safe keeping of the State House,'" have had the same under consideration, and instruct me to report the same back with the recommendation that it do pass.

MOORE, for Committee.

Senator Stirman, chairman of Committee on State Affairs, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs, to whom was referred House bill No. 77, "An act to amend section one of 'An act to incorporate the Texas Banking and Insurance Company,'" approved June 28, 1870, have carefully examined and considered the same, and instruct me to report it back, with the recommendation that it do pass.

All of which is respectfully submitted.

W. B. STIRMAN, Chairman.

Senator Camp introduced a bill, entitled "An act to define the Tenth Judicial District of the State of Texas, and to provide the times for the holding of the courts therein, and to attach the county of Rockwall to the Fourteenth Judicial District." Read first time and referred to Judiciary Committee.

Senator Friend introduced a bill, entitled "An act to amend section eighteen of an act entitled 'An act concerning proceedings in the district courts,'" passed sixteenth of March, 1848, and took effect August 1, 1848. Read first time and referred to Judiciary Committee.

Senator Wood introduced a bill, entitled "An act to authorize the several county courts of this State to pay off the outstanding indebtedness of their several counties." Read first time and referred to the Judiciary Committee.

Senator Russell introduced a bill, entitled "An act to amend 'an act to prevent the herding of stock on certain lands therein named,'" approved June 2, 1873. Read first time and referred to Committee on Stock and Stockraising.

Senator Ball introduced a bill, entitled "An act to provide for a special registration of voters in any unorganized or disorganized county within the State of Texas."

Read first time and referred to Committee on Privileges and Elections.

Senator Ball offered the following resolution:

Resolved, That the thanks of the Senate are, hereby tendered to the enterprising editors and employees of the *Dallas Herald*, for compiling and publishing a statement of the official vote for State officers by counties, and list of officers elected at the last general election; thereby furnishing the information so much desired by the people of the State at large.

Adopted.

The hour for the special order having arrived, to-wit: the consideration of the contested election from the Thirteenth Senatorial district, Senator Dillard moved that it be postponed, as all parties consented thereto, until next Thursday at 11 o'clock A. M. Carried.

On motion of Senator Wood, Senator Bradley was further excused from attendance until next Wednesday.

Senator Ellis, chairman of the Committee on Militia, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Militia, to whom was referred Senate bill No. 158, "An act to authorize the Adjutant General to sell or dispose of damaged or worthless arms, equipments and ammunition, belonging to the State," have examined said bill, and instruct me to report the same back with the accompanying substitute, and they further recommend that said substitute do pass.

ELLIS, Chairman.

The title of the substitute referred to is as follows: "An act providing for the condemnation and sale of damaged and useless arms, equipments and ammunition belonging to the State."

The substitute was read first time.

Senator Westfall, for Committee on Enrolled Bills, submitted the following report: *Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Enrolled Bills have carefully examined joint resolution No. 151, "Setting apart certain rooms in the capitol building for the use of the Senate and House of Representatives," and find the same correctly enrolled, and have this day, at 11 o'clock A. M., presented the same to the Governor for his approval.

W. H. WESTFALL, for Committee.

The unfinished business, the consideration of Senate bill No. 80, "An act concerning landlords and tenants," was taken up.

The amendment of Senator Parker, that was pending, to-wit, strike out "landlords" wherever it occurs, and insert "land owners," was by him withdrawn, and the following substitute offered: strike out "landlords and tenants" wherever it occurs, and insert "lessor and lessee." Lost by the following vote:

Yeas—Senators Allison, Flanagan and Parker—3.

Nays—Senators Ball, Baker, Bradshaw, Camp, Davenport, Dillard, Dwyer, Ellis, Erath, Friend, Hobby, Morris, Moore, Russell, Stirman, Swift, Trolinger, Westfall and Wood—19.

Absent, not voting—Senators Bradley, Culberson, Ireland, Ledbetter and Randle.

On motion of Senator Wood, one hundred copies were ordered printed.

On motion of Senator Ellis, the bill was made special order at 11 o'clock A. M. next Friday.

ORDERS OF THE DAY.

Senate bill No. 38, "An act prescribing the mode of proceeding in district courts in matters of probate," was, on motion of Senator Wood, made special order for Saturday next at 11 o'clock A. M.

House concurrent resolution, "to appoint a special joint committee on the financial condition of the State," was adopted.

House bill No. 146, "An act to branch the Supreme Court of the State of Texas," was, on motion of Senator Bradshaw, postponed until Wednesday next, at 11 o'clock A. M., and made special order for that day and hour.

House bill No. 32, "An act authorizing clerks of the district courts and justices of the peace to issue writs of garnishment in certain cases, herein provided," was read second time, also the amendments of the committee thereto, which were adopted, and the bill passed to third reading.

House bill No. 57, "An act to authorize the County Court of Aransas county to levy a special tax for the purpose of building a jail," with the report of the committee, that said bill do not pass, was read second time, report of committee adopted, and bill lost.

Senate bill No. 132, "An act to amend section five of 'An act to regulate the assessment and collection of taxes,'" approved May 31, 1873, was read second time, and, on motion of Senator Dwyer, was re-referred to the Committee on State Affairs.

House bill No. 27, "An act to amend 'An act to adopt and establish a penal code for the State of Texas,'" approved August 26, 1856, was read second time and passed to third reading.

House bill No. 111, "An act to authorize the several county courts in this State to offer a premium for wolf scalps," with the amendments and recommendation of the committee that the bill be rejected, was read second time.

Senator Ellis asked that the bill be referred to the Committee on Stock and Stockraising.

Senator Wood offered the following as a substitute for that submitted by the committee: Amend by striking out the word

"wolf," wherever it occurs, and insert "dog."

The bill, together with the amendment, was referred to the Committee on Stock and Stockraising.

The memorial of the citizens of Polk county, asking for an enlargement of the Lunatic Asylum, together with the report of the Committee on State Affairs, that said memorial be not granted, was read second time, the report of the committee concurred in, and memorial lost.

House bill No. 58, "An act validating the authentication and registration of certain instruments of writing," was read third time and passed.

Senate bill No. 57, "An act to provide for the registration of voters in all incorporated towns and cities within the State, not otherwise provided by law," was read third time and passed.

Senate bill No. 45, "An act for the relief of the heirs of N. B. Garner, deceased," was read third time, and, on motion of Senator Flanagan, was laid on the table.

Senate bill No. 46, "An act for the relief of the heirs and assigns of James Ship, deceased," was read third time, and on motion of Senator Swift, was laid on the table.

Senate bill No. 137, "An act making an appropriation to pay contingent expenses of department of State," was read second time, report of the Committee on State Affairs, in reference to same was adopted, and bill ordered engrossed.

On motion of Senator Erath, the rules were suspended, bill read third time and passed by the following vote:

Yeas—Senators Allison, Ball, Baker, Camp, Davenport, Dillard, Dwyer, Ellis, Erath, Flanagan, Friend, Morris, Moore, Parker, Russell, Stirman, Swift, Trolinger, Westfall and Wood—20.

Nays—None.

Absent not voting—Senators Bradshaw, Bradley, Culberson, Hobby, Ireland, Ledbetter and Randle.

The report of the Committee on State Affairs, in regard to "the memorial of J. M. Wilson, asking the Legislature to purchase certain patents, issued to Dr. J. E. Park," that said memorial be laid on the table, was adopted.

The report of the Committee on State Affairs, in regard to the petition for the relief of Wm. C. Crawford, that said petition be laid on the table, was adopted.

The memorial from Wilson county, "praying for an act to allow the county to levy a special tax," with the report of the Judiciary Committee, that it be not granted, was read, report of the Committee concurred in, and memorial lost.

On motion of Senator Ellis, the Senate adjourned to 10 o'clock A. M. to-morrow.